

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

THE BACKER LAW FIRM, LLC, on behalf)
of itself and all those similarly situated,)
)
)
)
Plaintiff,)
)
)
v.) Case No: 4:15-CV-00327-SRB
)
)
COSTCO WHOLESALE CORPORATION,)
)
)
)
Defendant.)

MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

COMES NOW Plaintiff, and respectfully moves the Court for an order: (i) preliminarily approving the parties' settlement; (ii) scheduling a hearing to consider final approval of the settlement; and (iii) authorizing the form and manner of notice to be made to the Class advising the members of the settlement and their rights with respect thereto. In support of this Motion, Plaintiff states:

1. After extensive arms-length negotiation concerning the possibility of settlement, the parties have reached a settlement on all claims asserted in this action. (See Doc. 181 (“Proceedings held before Magistrate Judge John T. Maughmer: SETTLEMENT CONFERENCE held on 7/19/2018. Case Settled[.]”).

2. The Settlement Agreement and Release is attached to the accompanying Suggestions in Support.

3. Plaintiff's counsel drafted a complete set of settlement documents, notices, and proposed orders and provided them to defense counsel in the first week of August 2018. There was no response for many weeks.

4. Defense counsel has finally approved the language of the Settlement Agreement,

and there is no dispute the Settlement Agreement accurately sets forth the terms reached, but Defendant has not yet signed the Settlement Agreement despite promises to do so no later than August 27, 2018.¹

WHEREFORE, Plaintiff prays this Court enter the order requested above, and any other relief the Court deems just and proper.

Respectfully submitted,

WOOD LAW FIRM, LLC

By/s/ Ari N. Rodopoulos

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Attorneys for Plaintiff and Plaintiff Class

CERTIFICATE OF SERVICE

I hereby certify on this 4th day of September, 2018, a true and correct copy of the foregoing was electronically filed with the Clerk of this Court using the CM/ECF system which will send notification to all attorneys of record.

By /s/ Ari N. Rodopoulos

Attorney for Plaintiff and Plaintiff Class

¹ In the unlikely event Defendant opposes this motion or denies a settlement was reached, Plaintiff will file a motion to enforce the settlement.